UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/523,255	01/26/2005	Luc Martin	09999-243	8315

35437 7590 11/13/2007 MINTZ LEVIN COHN FERRIS GLOVSKY & POPEO 666 THIRD AVENUE NEW YORK, NY 10017	**EXAMINER** ZAHR, ASHRAF A

ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _1/26/2005_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-26_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-26_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _4/08/2005_.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1-26 are pending in this application.

2.   The information disclosure statement (IDS) submitted on 4/08/2005. The

submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the

information disclosure statement is being considered by the examiner.

Claim Rejections - 35 USC § 101

3.   35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or
composition of matter, or any new and useful improvement thereof, may obtain a patent
therefor, subject to the conditions and requirements of this title.

4.   Claims 1-26 are rejected under 35 U.S.C. 101 because the claimed

invention is directed to non-statutory subject matter.

Regarding Claims 1-8, the graphical user interface is not tangibly

embodied in a manner so as to be executable. Further, it appears that applicant

is attempting an abstract idea. It appears to be these claims are software per se.

Therefore, these claims are rejected as being non-statutory.

Regarding Claims 9-12, 21-26, the language of the claims raise

questions as to whether the claims are directed merely to an abstract idea that is

not tied to a technological art, environment, or machine which would result in a

practical application producing a concrete, useful, and tangible result to form the

basis of statutory subject matter under 35 USC 101. The claims do not state a

platform or the hardware used to perform the claimed method. Therefore, no

tangible result is produced and it appears as if the claims are directed to software

per se. Therefore, these claims are rejected as being non-statutory.

Regarding Claims 13-20, the system claimed by applicant is non

statutory since it is not tangibly embodied in manner so as to be executable.

There is no hardware claimed. It appears that these claims are directed to

software per se.

Claim Rejections - 35 USC § 102

5.   The following is a quotation of the appropriate paragraphs of 35

U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6.   Claims 1-7, 13-16, 20 are rejected under 35 U.S.C. 102(b) as being

anticipated by House et al., US 6,188,400 (Hereinafter, House).

Regarding Claim 1, House discloses, "a graphical user interface displayable in a content window of a Web browser for accessing an online software application". Specifically, FORM1 is displayed by the browser (House, col 6, ln 63-64).

House also discloses, "a button, the button programmed with a URL of a start page of the online software application, clicking on the button causes the start page of the online software application to be displayed in a display area". Specifically, when FORM1 is displayed by the browser 108 and when a command button applet is "pressed", the associated Java applet invokes a universal resource locator (URL) to communicate with the running instance of the application on the network server 110 (House, col 6, ln 63-67).

Regarding Claim 2, House also discloses, "the graphical user interface of claim 1, wherein the graphical user interface includes the display area". Specifically, House discloses a browser and monitor (House, col 5, ln 1-15).

Regarding Claim 3, House also discloses, "the graphical user interface of claim 2, including a border enclosing the display area and wherein the button is located in the border". Specifically, a browser and a display have a border and the button disclosed in both of these is located inside the border (House, col 5, ln 1-15).

Regarding Claim 4, House also discloses, "the graphical user interface of claim 1, wherein the button is dynamically programmable by a user of the interface". Specifically, the button can be programmed by the user using the development environment (col 5, ln 1-15).

Regarding Claim 5, House also discloses, "the graphical user interface of claim 1, wherein the button is programmable by an administrator of the interface. Specifically, the button can be programmed by the user using the development environment (col 5, ln 1-15).

Regarding Claim 6, House discloses, "the graphical user interface of claim 1, wherein the display area is implemented using an HTML command selected from the group consisting of IFRAME, FRAME, LAYER and ILAYER". Specifically, House discloses using HTML commands (House, col 9, ln 15-35). These are well-known html commands.

Regarding Claim 7, House discloses, "the graphical user interface of claim 1, wherein the button is implemented using representation means selected fro the group consisting of an HTML text link, an HTML image link and an HTML button". Specifically, House discloses using HTML commands (House, col 9, ln 15-35). These are well-known html commands.

Regarding Claim 13, House discloses, "a system comprising: means for creating one or more button means associated with one or more start pages of one or more online software applications". Specifically, the button can be programmed by the user using the development environment (col 5, ln 1-15).

House also discloses, "means for making available the button means via a Web page". Specifically, a FORM1 is displayed by the browser 108 (House, col 6, ln 63-67).

House also discloses, "means for selecting one of the button means". Specifically, "a command button applet is "pressed"" (House, col 6, ln 63-67). .

House also discloses, "means for displaying the start page of the online software application associated with the selected button means in a display area in response to selection of the button means". Specifically, the associated Java applet invokes a universal resource locator (URL) to communicate with the running instance of the application on the network server 110(House, col 6, ln 63-67).

Regarding Claim 14, House also discloses, "The system of claim 13, including means for permitting a user to associate the one or more button means with the one or more online software applications". Specifically, the button can be programmed by the user using the development environment (col 5, ln 1-15).

Regarding Claim 15, House also discloses, "the system of claim 14, wherein said means for permitting is an online form". Specifically, the form used

in House can be used to control information between applets in the client

browser and the network server (House, col 6, ln 53-57).

Regarding Claim 16, House also discloses, "the system of claim 13,

including means for permitting an administrator to associate the one or more

button means with the one or more online software applications". Specifically,

the button can be programmed by the user using the development environment

(col 5, ln 1-15).

Regarding Claim 20, House also discloses, "the system of claim 16,

including a depressed button to show the currently selected online software

application". Specifically, when a command button applet is "pressed" the

associated java applet invokes a URL to communicate with application (House,

col 6, ln 63-67).

Claim Rejections - 35 USC § 103

7.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for

all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described
> as set forth in section 102 of this title, if the differences between the subject matter sought to
> be patented and the prior art are such that the subject matter as a whole would have been
> obvious at the time the invention was made to a person having ordinary skill in the art to which
> said subject matter pertains. Patentability shall not be negatived by the manner in which the
> invention was made.

· 8.   Claims 8, 17-19 are rejected under 35 U.S.C. 103(a) as being

unpatentable over House et al., US 6,188,400 (Hereinafter, House) in view of

Clark, Jr et al., US 5,699,244 (Hereinafter, Clark).

       Regarding Claim 8, House does not specifically disclose, "the graphical

user interface of claim 1, wherein the interface resembles a PDA and includes a

plurality of the buttons to access a plurality of the online software applications".

However Clark remedies this with the disclosure of a PDA GUI (Clark, col 25, ln

25-30). It would be obvious to one of ordinary skill in the art at the time of the

invention to combine the two disclosures to add PDA GUI to the invention of

Clark. The GUI interface for a PDA is well known and has been around as in

Clark. It would be obvious to take this interface and place it on another platform

such as a computer with an internet browser. The motivation to do so would be

to allow operations data which may be conveniently input through the nested

display arrangement (Clark, col 11, ln 15-20).

       Regarding Claim 17, House does not specifically disclose "the system of

claim 13 wherein said means for displaying is a graphical user interface which

resembles a PDA". However Clark remedies this with the disclosure of a PDA

GUI (Clark, col 25, ln 25-30). It would be obvious to one of ordinary skill in the

art at the time of the invention to combine the two disclosures to add PDA GUI to

the invention of Clark. The GUI interface for a PDA is well known and has been

around as in Clark. It would be obvious to take this interface and place it on

another platform such as a computer with an internet browser. The motivation to do so would be to allow operations data which may be conveniently input through the nested display arrangement (Clark, col 11, ln 15-20).

Regarding Claim 18, House does not specifically disclose, "the system of claim 17 including a branding graphic". Specifically, House discloses an image (col 9, ln 25-30). House does not specifically disclose using a branding graphic. However, it would be obvious to include a branding graphic to one of ordinary skill in the art at the time of the invention. The motivation to do so would be to provide advertisement for the company offering the software application.

Regarding Claim 19, House does not specifically discloses, "the system of claim 17, including display area maximization means". However, the ability to maximize and minimize a form is well known in the art and it would be obvious to someone of ordinary skill in the art to include this feature in House. The motivation to do so would be to provide a means to enlarge and shrink a window or form.

9.   Claims 9-12, 21-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over House et al., US 6,188,400 (Hereinafter, House) in view of Anupam et al., US 6,411,989 (Hereinafter, Anupam).

Regarding Claim 9, House discloses, "a method for interaction between a Web browser on a first computer and an online software application on a second computer, initiating an application on the first computer to open a graphical user interface in the content window of the Web browser, the interface including a button, the button programmed with a URL of a start page of the online software application". Specifically, when FORM1 is displayed by the browser 108 and when a command button applet is "pressed", the associated Java applet invokes a universal resource locator (URL) to communicate with the running instance of the application on the network server 110 (House, col 6, ln 63-67).

House does not specifically discloses, "accessing the start page using the button, thereby causing the start page to be displayed in a display area to permit interaction with the online software application". However Anupam remedies this with the disclosure of manager 104 causes a "home page" to be displayed on U-1 (Anupam, col 3, ln 9-12). It would be obvious to one of ordinary skill in the art at the time of the invention to combine these two references to display a home page to greet a user. The motivation to combine the two references would be to greet the user, and describe the service provided by system (Anupam, col 3, ln 9-12).

Regarding Claim 10, House also discloses, "the method of claim 9, including accessing a second start page of a second online software application by using a second button programmed with the URL address for the second start page and thereby causing the second start page to be displayed in the

display area". Specifically, House discloses one or more application scripts 118

retrieved from an APP file 120 stored on a data storage device 112 (House, col

4, ln 25-30).

Regarding Claim 11, House discloses, "a method of accessing an online

software application under control of a server system, displaying in a Web

browser, a button programmed with a URL of a start page of the online software

application, sending a request to the server system to access the start page of

the software application in response to selection of the button". Specifically,

when FORM1 is displayed by the browser 108 and when a command button

applet is "pressed", the associated Java applet invokes a universal resource

locator (URL) to communicate with the running instance of the application on the

network server 110 (House, col 6, ln 63-67).

House does not specifically disclose, "displaying the requested start page

in a display area". However Anupam remedies this with the disclosure of

manager 104 causes a "home page" to be displayed on U-1 (Anupam, col 3, ln 9-

12). It would be obvious to one of ordinary skill in the art at the time of the

invention to combine these two references to display a home page to greet a

user. The motivation to combine the two references would be to greet the user,

and describe the service provided by system (Anupam, col 3, ln 9-12).

Regarding Claim 12, House also discloses, "the method of claim 11,

including the steps of transmitting, using the Web browser, a request to the

server system to associate the start page of the online software application with

the button". Specifically, The information that must flow from the Java applet to

the network server 110 includes: the application name he name of the control

causing the event, e.g., COMMAND_BUTTON1 506, the event, e.g., ButtonClick,

the form on which the event occurred, e.g., FORM1 (House, col 7, ln 10-15).

House also discloses, "receiving permission from the server system to

associate the start page with the button". Specifically, an identification of the

application instance (or null) can be either via authentication, where an

authenticated user identifies uniquely the application instance (House, col 7, ln 1-

10).

House also discloses, "associating the start page of the application with

the button". Specifically, the information that must flow from the Java applet to

the network server 110 includes: the application name he name of the control

causing the event, e.g., COMMAND_BUTTON1 506, the event, e.g., ButtonClick,

the form on which the event occurred, e.g., FORM1 (House, col 7, ln 10-15).

Regarding Claim 21, House discloses, "a method of associating an online

software application with a graphical user interface displayable in a content

window of a Web browser, the graphical user interface comprising a button

associable with a URL for a start page of the online software application whereby

selecting the button causes the online software application to be displayed in a

display area, the method comprising the steps of: locating an instance of a first

said online software application using the Web browser". Specifically, when

FORM1 is displayed by the browser 108 and when a command button applet is "pressed", the associated Java applet invokes a universal resource locator (URL) to communicate with the running instance of the application on the network server 110 (House, col 6, ln 63-67).

House does not specifically also disclose, "causing the button to be associated with the URL of the start page of the instance of the first said online software application". However, Anupam remedies this with the disclosure of manager 104 causes a "home page" to be displayed on U-1 (Anupam, col 3, ln 9-12). It would be obvious to one of ordinary skill in the art at the time of the invention to combine these two references to display a home page to greet a user. The motivation to combine the two references would be to greet the user, and describe the service provided by system (Anupam, col 3, ln 9-12).

Regarding Claim 22, House also discloses, "the method of claim 21, comprising the additional steps of: locating an instance of a second said online software application using the Web browser". Specifically, the form in House can be programmed to access multiple applications with multiple buttons(House, col 6, ln 63-67).

House discloses, "finalizing and deleting the instance of the first said online software application". However, House does disclose transmitting the output data from the network server to the browser of the first applet. This finishes the process of the first online software application and the user can

display the data or it can be used to execute an applet in the browser (House, col

8, ln 5-10).

House does not specifically disclose, "causing the button to be associated

with the URL of the start page of the instance of the second said online software

application". However, Anupam remedies this with the disclosure of manager

104 causes a "home page" to be displayed on U-1 (Anupam, col 3, ln 9-12). The

user in Anupam can access multiple online applications (Anupam, col 4, ln 10-

20). It would be obvious to one of ordinary skill in the art at the time of the

invention to combine these two references to display a home page to greet a

user. The motivation to combine the two references would be to greet the user,

and describe the service provided by system (Anupam, col 3, ln 9-12).

Regarding Claim 23, House also discloses, "the method of claim 21,

including the additional step of first causing the creation of a new instance of the

first said online software application". Specifically, when FORM1 is displayed by

the browser 108 and when a command button applet is "pressed", the associated

Java applet invokes a universal resource locator (URL) to communicate with the

running instance of the application on the network server 110 (House, col 6, ln

63-67). Multiple forms can be created in House.

Regarding Claim 24, House also discloses, "the method of claim 21,

wherein the step of causing the button to be associated with the URL of the start

page of the instance of the first said online software application is accomplished

by means of an online form". Specifically, House discloses an online form
(House, col 6, ln 53-62).

Regarding Claim 25, House also discloses, "the method of claim 23,
wherein the steps of causing the creation of a new instance of the first said online
software application and causing the button to be associated with the URL of the
start page of the new instance of the first said online software application are
accomplished by means of an online form". Specifically, House discloses an
online form (House, col 6, ln 53-62).

Regarding Claim 26, House also discloses, "the method of claim 22,
wherein the steps of finalizing and deleting the instance of the first said online
software application and causing the button to be associated with the URL of the
start page of the instance of the second said online software application are
accomplished by means of an online form". Specifically, House discloses an
online form (House, col 6, ln 53-62).

Conclusion

10.   The prior art made of record and not relied upon is considered pertinent to
applicant's disclosure.

Nguyen et al., US 6,412,021: Method and Apparatus for Performing User
Notification

Best et al., US 2001/0043235: Webtop: Multiple Applet Delivery Within a

Fixed-Sized Viewing space

Any inquiry concerning this communication or earlier communications from

the examiner should be directed to Ashraf Zahr whose telephone number is 571-

270-1973. The examiner can normally be reached on M-T 7:30 am - 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, Frantz Coby can be reached on 571-272-4017. The fax

phone number for the organization where this application or proceeding is

assigned is 571-273-8300.

Information regarding the status of an application may be obtained from

the Patent Application Information Retrieval (PAIR) system. Status information

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direct.uspto.gov. Should you have questions on access to the Private PAIR

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Representative or access to the automated information system, call 800-786-

9199 (IN USA OR CANADA) or 571-272-1000.

FRANTZ COBY
SUPERVISORY PATENT EXAMINER

AAZ
11/07/2007